



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/773,285 | 01/31/2001 | Shane Kuipers | Haworth Case 306 | 1964 |

7590 05/12/2003

FLYNN, THIEL, BOUTELL & TANIS, P.C.
2026 Rambling Road
Kalamazoo, MI 49008-1699

| EXAMINER |
|----------|
|----------|

HORTON, YVONNE MICHELE

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3635

DATE MAILED: 05/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/773,285

Applicant(s)

SHANE KUIPERS

Examiner

YVONNE M. HORTON

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Feb 6, 2003
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-24 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 8-10, and 12-16 is/are rejected.
- 7) ☒ Claim(s) 4, 7, 11, 17, and 18 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 3635

DETAILED ACTION

Withdrawal of Previously Indicated Allowable Subject Matter

1. The indicated allowableness of claims 2-6,8-11,15 and 16 is withdrawn in view of the newly discovered reference(s) to BROOKS and TAKAGI et al. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1,6,14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent #6,037,538 to BROOKS in view of US Patent #6,158,179 to ACKERLY et al. BROOKS discloses the use of a panel arrangement for an office furniture including a panel (16) and a rigid frame member (21) attached thereto; wherein the frame member includes a fixing channel having opposing spaced apart channel walls (51). The channel thickness, as seen in figure 8, is smaller than the panel (16) thickness prior to insertion therein and the walls (51) of the channel section (21) being deflectable to have a tight-fitting contact with the panel, column 4, lines 25-28. In further regards to claims 6 and 16, BROOKS also discloses the use of undercuts (54) to define a juncture between the channel walls (51) and side wall (50). BROOKS discloses the basic claimed arrangement except for the panel being glass. ACKERLY et al. teaches that it is known in the art to provide an office furniture with a glass panel (164). Hence, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the

Art Unit: 3635

arrangement of BROOKS with the glass panel of ACKERLY et al. in order to provide the office with a space that is viewable.

4. Claims 2-3,8-11,13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent #6,037,538 to BROOKS in view of US Patent #6,158,179 to ACKERLY et al. And US Patent #6,314,691 to TAKAGI et al. BROOKS discloses the use of a panel arrangement for an office furniture including a panel (16) and a rigid frame member (21) attached thereto; wherein the frame member includes a fixing channel having opposing spaced apart channel walls (51). The channel thickness, as seen in figure 8, is smaller than the panel (16) thickness prior to insertion therein and the walls (51) of the channel section (21) being deflectable to have a tight-fitting contact with the panel, column 4, lines 25-28. In further regards to claims 6 and 16, BROOKS also discloses the use of undercuts (54) to define a juncture between the channel walls (51) and side wall (50). BROOKS discloses the basic claimed arrangement except for the panel being glass. ACKERLY et al. teaches that it is known in the art to provide an office furniture with a glass panel (164). TAKAGI et al. teaches the use of projections (18) formed on the inside of a channel member (3) to retain a panel therein. Hence, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the arrangement of BROOKS with the glass panel of ACKERLY et al. and the projections of TAKAGI et al. in order to provide the office with a space that is viewable and to ensure that the panel is retained securely in position. Regarding claims 3, 9 and 10, the projections of TAKAGI et al. directly contact the panel member; however, the projection does not have a peak. It would have been obvious to one having ordinary skill in the art to round the projection of TAKAGI et al. in order to create and

Art Unit: 3635

ease of insertion of the panel member within the channel. The compressibility of the projection is determined by how tight the panel is desire to fit in the channel member. In reference to claim 13, the channel of BROOKS, as modified by ACKERLY et al., is in face-to-face contact with the panel.

Allowable Subject Matter

5. Claim 19-24 are allowed.
6. Claims 4,7,11,17 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yvonne M. Horton whose telephone number is (703) 308-1909.

YMH
Patent Examiner
May 5, 2003

